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December 20, 2023

Via ECF

The Honorable Dale E. Ho
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

**RE: Joint Request for Adjournment and an Extension of Time
Saxx US Acquisition, Inc. v. Rhone Apparel, Inc., 1:23-cv-03388 (DEH)**

Dear Judge Ho:

The parties in this action have been engaged in settlement discussions that are near completion, and they currently are working to exchange final product information and finalize a written agreement for execution. To complete those efforts and in light of the approaching holidays, the parties respectfully request a brief thirty (30) day extension and adjournment of the pre-trial conference, which will also permit completion of any post-agreement requirements necessary before dismissal. The parties do not anticipate any additional extensions will be necessary.

Specifically, a Joint Letter with a Civil Case Management Plan and Scheduling Order is due by January 8, 2024, and the Initial Pre-Trial Conference is scheduled for January 18, 2024 at 10:30 am and. The parties sought and obtained one prior adjournment/extension for approximately forty-five (45) days for these events. (Dkt. Nos. 16, 17).

In addition, a response to the Complaint is currently due on January 2, 2024. Rhone has previously made two unopposed requests to extend that deadline by thirty (30) days (Dkt Nos. 11, 13) and the parties jointly made a forty-five (45) day request to extend that deadline (Dkt. No. 16), all to permit the parties to engage in and continue their settlement discussions. The Court granted all prior requests. (Dkt Nos. 12, 14, 17).

In light of the foregoing and in an effort for the parties complete their efforts with the intent to dismiss the case upon a final written settlement agreement, the parties jointly seek to adjourn the Initial Pre-Trial Conference and extend the current deadlines by approximately thirty (30) days as set forth below (with three alternative dates proposed

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for the Initial Pre-Trial Conference as required by Your Honor's Individual Rules and Practices):

Event	Current Deadline	Proposed Deadline
Response to the Complaint	January 2, 2024	February 1, 2024
Joint Letter with Civil Case Management Plan and Scheduling Order	January 8, 2024	February 7, 2024
Initial Pre-Trial Conference	January 18, 2024	February 14, 15, or 16, 2024

The parties jointly request the relief herein, and no other deadlines will be impacted by this request.

Respectfully submitted,

/s/ Ashley B. Summer
Ashley B. Summer
Counsel for Defendant
Rhone Apparel, Inc.

cc: Gene W. Lee, Esquire (glee@perkinscoie.com)
Andrew Klein (aklein@perkinscoie.com)
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Application GRANTED. The response to the complaint shall be due on **February 1, 2024**. The deadline for the parties to submit a joint status letter and case management plan is adjourned to **February 7, 2024**. The remote initial pretrial conference is adjourned to **February 15, 2024, at 11:30 a.m. (E.T.)**. The parties shall dial 646-453-4442, enter the meeting code 56898277, and press pound (#). If applicable, as soon as the parties reach an agreement to settle in principle, they shall notify the Court in accordance with Individual Rule 7.

SO ORDERED.

The Clerk of Court is respectfully requested to terminate ECF No. 18.



Dale E. Ho
United States District Judge
New York, New York
Dated: December 20, 2023